

Appl. No. 10/714,168
Reply to Office Action of SEPT 16, 2005

REMARKS/ARGUMENTS:

This Amendment is in response to the Office Action mailed 09/16/05. By said Action, the specification was objected to because of informalities; Claims 1-3 and 8-10 were rejected under 35 U.S.C. 102(b) as being anticipated by Lenkauskas; Claims 1-3 and 8-10 were rejected under 35 U.S.C. 102(b) as being anticipated by Landers; Claims 1-3 and 8-10 were rejected under 35 U.S.C. 102(b) as being anticipated by Rowan; Claims 1-3 and 8-10 were rejected under 35 U.S.C. 102(b) as being anticipated by Hussein et al; and, Claims 4-7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lenkauskas in view of Taylor and Giannuzzi. However, the Examiner indicated that Claims 12-40 are allowable.

By this Amendment, the Specification has been amended to include certain limitations of Claim 11 and therefore obviates the objection noted above. No new matter is deemed to have been added by way of this amendment.

Reconsideration and allowance of independent Claim 1 is respectfully requested. In this regard it is emphasized that Claim 1 is directed to a **cannula supporting coil** that comprises a thin resilient elongated member having a proximal portion; an intermediate portion; and, a distal portion. The proximal portion of the thin resilient elongated member comprises a **clip portion for capturing a side port of an endoscopic or arthroscopic cannula**. The distal portion has a plurality of revolutions to accommodate the main body of the cannula. A terminal portion of a final revolution of the distal portion has less curvature than previous portions of the distal portion for anchoring to an anatomical cavity lining of an anatomical cavity.

It is applicant's contention that the art disclosed in the Lenkauskas reference is non-analogous art inasmuch as it is outside the applicant's field of endeavor and not reasonably pertinent to the particular problem which the inventor was involved. The applicant's field of endeavor relates to anchor and anchoring systems for securing arthroscopic or laparoscopic cannulas within puncture openings in the skin and more particularly to a flexible coil to be secured to the cannula device after being inserted through the puncture opening. Lenkauskas, on the other hand, was involved in an entirely different venture. His invention was an otic prosthesis for ossicular reconstruction. Furthermore, the nature of the problems that the applicant and Lenkauskas were attempting to solve were entirely different.

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Similarly, the Landers, Rowan and Hussein references are also all urged to be deemed non-analogous art. The Landers invention relates to thread-cutting temples for looms, and more particularly, to a spring therefor. Rowan discloses a spring structure for vehicles. Hussein et al disclose a Trans Myocardial Revascularization (TMR) stent. None of these are related to cannulas and anchoring systems used therewith.

Reconsideration and allowance of dependent claims 2-11 is respectfully requested. These claims depend from Claim 1 and include all of the limitations of independent Claim 1. They are therefore also deemed to be in condition for allowance.

In view of the foregoing Amendment and remarks, it is respectfully urged that all claims are in condition for allowance, and such action as well as passage of this case to issue is respectfully requested.

If the Examiner has any further questions, or believes that a telephone interview would be helpful to the advancement of the prosecution of the subject application, a telephone call to the undersigned would be appreciated.

Respectfully submitted,



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12/16/05

DATE

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